# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/551,815 | 09/30/2005 | Sang Won Yang | CU-4443 WWP | 3939 |

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| EXAMINER |
|---|
| BROWN, SHEREE N |

| ART UNIT | PAPER NUMBER |
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| 2163 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
| **Office Action Summary** | 10/551,815 | YANG ET AL. |
| | Examiner | Art Unit | |
| | SHEREE N. BROWN | 2163 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on <u>25 July 2008</u>.
2a)☐ This action is **FINAL**.       2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) <u>1,2 and 4-21</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-2, and 4-21</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**
1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

# DETAILED ACTION

## *Continued Examination Under 37 CFR 1.114*

1.      A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection.  Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.  Applicant's submission filed on

07/25/2008 has been entered.

2.      Claims 1-2, and 4-21 are pending and presented for examination.  Claim 3 is

cancelled.  Claims 1, 4-12, 15, 18 and 20 are amended.  Claims 1, 15, 18 and 20 are

independent and the remaining claims are dependent.

3.      This case has been made NON-FINAL.

## *Response to Amendment*

4.      Referring to the 35 USC 112 1st paragraph rejections, applicants amendments has

been acknowledged and accordingly, examiner withdraws the rejection.

## *Claim Rejections - 35 USC § 102*

5.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section

351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.      Claims 1-2 and 4-21 are rejected under 35 U.S.C. 102(e) as being anticipated by

US Patent 6,735,572 to Landesmann.

*Claim 1:*

Landesmann teaches a method for providing local information search results in response to a search request input through a communication network by a searcher utilizing a keyword ["elements in the search criteria, such as high value, consumer goods entities i.e. purchases of luxury cars ... " See Abstract & Column 24, Lines 10-15 wherein "elements in the search criteria" is the same as "keywords"], the method comprising the steps of:

-   Receiving a first local information comprising at least a location information of the searcher related to the searcher [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20 & Column 41, Lines 32-34];

-   maintaining the first local information for searching related to the searcher [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20];

-   receiving a second local information comprising at least a location information of one or more of search items related to a network information provider [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14, Lines 1-20 & Column 41, Lines 32-34];

-   maintaining a database including the search items related to a network information provider, wherein some of the search items are related to the

keyword of the searcher [(i.e. search criteria) See Figure 3A, Item 320 &

Column 20, Lines 7-45];

- receiving the search request from the searcher utilizing a keyword ["elements

  in the search criteria, such as high value, consumer goods entities i.e.

  purchases of luxury cars ... " See Column 5, Lines 42-47 & Column 24, Lines

  10-15 wherein "elements in the search criteria" is the same as "keywords];

- identifying at least more than one search item related to the keyword that

  matches the search request and selecting the search item related to the second

  local information matched to the first local information, among the identified

  search items [See Figure 3A, Item 320 & Column 20, Lines 7-45], wherein the

  second local information matched to the first local information comprises

  both the second local information that is in agreement with the first local

  information and the second local information that is closely related to the first

  local information [See Column 20, Lines 5-30];

- and arranging at least a part of the search items according to a predetermined

  search item arranging method in arranging the selected search items [(i.e.

  Sequence of item of content" See Figure 6, Item 620 & column 5, Lines 54-65].

### Claim 2:

Landesmann teaches wherein the step of arranging at least a part of the search items

according to the predetermined search item arranging method comprises the step of

arranging the selected search item preferentially [See Figure 6, Item 620 & column 5,

Lines 54-65].

## *Claim 4:*

Landesmann teaches wherein the step of arranging at least a part of

the search items according to the predetermined search item arranging method, is to

preferentially arrange the search item related to the second local information that is in

agreement with the first local information and subsequently arrange the search item

related to the second local information closely related to the first local information [See

Figure 6, Item 620 & column 5, Lines 54-65].

## *Claim 5:*

Landesmann teaches wherein the step of maintaining the first local information for

searching related to the searcher comprises the step of storing the first local

information as search configuration setting information of the searcher,

and the step of receiving the search request from the searcher comprises the step of

obtaining the first local information from the stored search configuration

setting information [See Figure 3A, Item 314 & Column 13, Lines 60-67 & Column 14,

Lines 1-20];

## *Claim 6:*

Landesmann teaches wherein the step of storing the first local information as

the search configuration setting information of the searcher and the step of receiving the

search request from the searcher comprise a log-in procedure by the searcher [See

Column 15, Lines 15-20].

*Claim 7:*

Landesmann teaches wherein the step of maintaining the first local information for

searching related to the searcher comprises the step of storing the first local

information, in the form of a cookie file at a searcher's terminal, and the step of

receiving the search request from the searcher comprises the step of accessing to the

cookie file and obtaining the first local information [See Figure 5, Item 540].

*Claim 8:*

Landesmann teaches wherein the step of maintaining the first local information for

searching related to the searcher comprises the step of installing a client program at a

searcher's terminal, and the step of receiving the search request from the searcher

comprises the step of receiving the first local information using the

client program installed in the searcher's terminal [See Column 30, Lines 20-30].

*Claim 9:*

Landesmann teaches wherein the step of maintaining the database includes the step of

receiving the second local information from the network information provider [See

Figure 1, Item 20 & Column 12, Lines 47-67].

*Claim 10:*

Landesmann teaches wherein the step of maintaining the database includes the step of

extracting the second local information from a website of the network information

provider [See Figure 1, Item 20, Figure 3A, Item 320 & Column 12, Lines 47-67 &

Column 20, Lines 7-45].

*Claim 11:*

Landesmann teaches wherein the step of maintaining the database includes the step of

extracting the second local information from configuration setting information of the

network information provider [See Figure 1, Item 20, Figure 3A, Item 320 & Column 12,

Lines 47-67 & Column 20, Lines 7-45].

*Claim 12:*

Landesmann teaches wherein the step of extracting the second local information

comprises the steps of:

-   maintaining a telephone exchange number and the second local information

    regarding the telephone exchange number, for a telephone number database

    [See Column 11, Lines 54-67];

-   obtaining information of the telephone exchange number, in which the

    configuration setting information includes the telephone exchange number of

    the network information provider [See Column 11, Lines 54-67];

-   and identifying the first local information that is in agreement with

    information of the telephone exchange number of the network information

    provider with reference to the telephone number database [See Column 11,

    Lines 54-67].

*Claim 13:*

Landesmann teaches wherein the predetermined search item arranging [(i.e. Sequence

of item of content" See Figure 6, Item 620 & column 5, Lines 54-65] method is one

among a keyword banner, knowledge search results, a sponsor link, a category, and a

plus site [Column 5, Lines 54-65 & Column 6, Lines 8-18 & Column 19, Lines 50-60].

## Claim 14:

Landesmann teaches wherein the step of maintaining the database includes the step of

receiving network information from the network information provider to register the

network information at a database, and relating the registered network information to a

plurality of the search items [See Figure 1, Item 20 & Column 12, Lines 47-67].

## Claim 15:

- Claim 15 is similar to claim 1 and is therefore rejected on the same basis as

   claim 1.

## Claim 16:

Landesmann teaches further comprising the steps of: determining

a predetermined advertisement charge for the local advertisement, wherein the

advertisement charge is differently determined depending on the local information

related to the local advertisement [See Figure 12, Item(s) 1210, 1220 & 1230 and Column

31. Lines 50-67 & Column 32, Lines 5-67 & Column 33, Lines 10-35].

## Claim 17:

Landesmann teaches further comprising the steps of: determining a predetermined

advertisement charge for the local advertisement, wherein the advertisement charge is

determined with consideration of frequency of page view or reference of the selected

search item [See Figure 12, Item(s) 1210, 1220 & 1230 and Column 31. Lines 50-67 &

Column 32, Lines 5-67 & Column 33, Lines 10-35].

*Claim 18:*

- Claim 18 is similar to claim 1 and is therefore rejected on the same basis as

    claim 1.

*Claim 19:*

Landesmann teaches wherein the local keyword is differently selected depending on

region with consideration of characteristics of the region [("geographical regions") See

Column 13, Lines 30-45].

*Claim 20:*

- Claim 20 is similar to claim 1 and is therefore rejected on the same basis as

    claim 1.

*Claim 21:*

Landesmann teaches a computer-readable recording medium, in which a program for

implementing a method according to any of the preceding claims 1 through 19 in a

computer, is recorded [See Figure 2, Item 32].

*Response to Arguments*

7.      Applicant's arguments filed 06/18/2008 have been fully considered but they are

not persuasive.

**Applicant Argument #1:**

Applicant argued on page 15 of 20, "Landesmann does not teach the claimed -second

local information matched to the first local information- including both the second local

information that **is in agreement** with the first local information and the second local

information that **is closely related** to the first local information as recited in claim 1".

**Examiner's Response to Argument #1:**

Examiner is not persuaded.  MPEP § 2106 states Office personnel are to give

claims their broadest reasonable interpretation in light of the supporting disclosure.  In

re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed Cir. 1997).  The use of

"is in agreement" and closely related" is very broad.  Examiner suggests adding

language from the specification that is more concrete.  Nonetheless, examiner asserts

Landesmann teaching of "zip codes in an around New York City and Washington DC"

in Column 20, Lines 5-30, is the same as applicant's claim limitation.  Accordingly,

examiner maintains the rejection.

**Applicant Argument #2:**

Applicant argued on page 17 of 20, "Nowhere in Landesmann teaches claim 18 as

amended".

**Examiner's Response to Argument #2:**

See Examiner's Response to Argument #1 for more details.

*Contact Information*

8.      Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sheree N. Brown whose telephone number is (571) 272-

4229.  The examiner can normally be reached on Monday-Friday 7:00 AM - 3:30 PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Don Wong can be reached on (571) 272-1834.  The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

9.      Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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September 25, 2008

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Supervisory Patent Examiner, Art Unit 2163